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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,249	03/25/2004	Timothy P. McKee	MSFT122022	6683
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CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC			EXAMINER	
1420 FIFTH AVENUE			FATEHI, PARHAM R	
SUITE 2800				
SEATTLE, WA 98101-2347			ART UNIT	PAPER NUMBER
			2194	
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			09/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/809,249

Applicant(s)

MCKEE ET AL.

Examiner

Parham (Paul) R. Fatehi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date 20060316.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

WILLIAM THOMPSON
SENIOR PATENT EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

1. Claims 1-43 are pending in this application.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 3/16/2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Objections

3. Claim 14 is objected to because of the following informalities: claim 14, ln 1-2 recites "wherein the data that the registered process has comprises data" and has awkward wording and should be clarified. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horvitz et Al (US 6,980,993) [hereafter Horvitz] in view of Bowman-Amuah (US 2003/0058277) [hereafter Bowman].

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6. As per claim 1, Horvitz discloses communication events occur that are related to notifications (col. 11, ln 40-50, communication events occur related to notifications). Horvitz fails to explicitly disclose receiving a message to register a process for communication events; and in response to receiving the message, registering the process.
7. Whereas, Bowman teaches receiving a message to register a process for communication events and in response to receiving the message, registering the process (Bowman, Par. 1216, ln 1-6). One of ordinary skill in the art, at the time the invention was made, would have modified the teachings of Horvitz to include the method of receiving a message to register a process for communication events as taught by Bowman in order to dynamically create subscriptions and thereby increasing scalability of the event-driven messaging system.
8. As per claim 2, Horvitz as modified by Bowman explicitly teaches one type of communication event occurs when a notification from a sender is not delivered to a user due to the user's context (Horvitz, col. 42, ln 19-24 & col. 44, ln 50-61, col 47, ln 30-46 & col 55, ln 39-46, event occurs when notification from sender not delivered to user's context).
9. As per claim 3, Horvitz as modified by Bowman explicitly teaches the registered process is a program that has data regarding the user (Horvitz, col. 1, ln 60-col.

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2, In 5, process is a program with data about user) that is outside the data that is maintained by the other components of the system (Bowman, Par 903, repository).

10. As per claim 4, Horvitz as modified by Bowman explicitly teaches wherein in response to receiving a communication event, the registered process may provide a customized message to the sender of the notification that includes data about the user (col. 25, ln 1-23, process sends customized message). Claim 4 is also rejected under the same reasons as claim 3 above.

11. As per claim 5, Horvitz as modified by Bowman explicitly teaches the registered process is a calendaring program and the data about the user indicates a time when the user may next be available (Horvitz, see table 5, calendar time indicates when user is next available).

12. As per claim 6, Horvitz as modified by Bowman explicitly teaches wherein the data about the user includes contact for the user (Horvitz, see Table 1A, Information Contact). Horvitz as modified by Bowman does not explicitly teach at least one alternative contact for the user. One of ordinary skill in the art, at the time the invention was made would have found it common sense to include alternative contact information as data for a user's contact information in order to accurately represent the user under a user profile.

13. As per claim 7, Horvitz as modified by Bowman explicitly teaches that the sender is evaluated (Horvitz, col 60, ln 31-33) according to selected criteria to determine whether the registered process will send a customized message to the sender (Bowman, Par 1395, customized message).

14. As per claim 8, Horvitz as modified by Bowman explicitly teaches that the evaluation of the sender comprises a determination of whether or not the sender has been placed on a list by the user (col 55, ln 33-56, user contexts on list).

15. As per claim 9, Horvitz as modified by Bowman explicitly teaches sending a message for registering a process and when a communication event occurs, the registered process being provided with information regarding the communication event (Bowman, Par 1216, sending a message for registering a process and being provided with event information).

16. As per claim 10-11, Horvitz as modified by Bowman explicitly teaches the communication event is related to a notification that is sent from a sender to a user; and the information regarding the communication event indicates that the notification did not reach the user (Horvitz, col. 42, ln 19-24 & col. 44, ln 50-61, col 47, ln 30-46 & col 55, ln 39-46).

17. As per claim 12, Horvitz as modified by Bowman explicitly teaches the information regarding the communication event includes a copy of the notification (col 11, ln 46-49, sending message or event notifications).
18. As per claim 13, Horvitz as modified by Bowman explicitly teaches the registered process is a program that has data regarding the user that is outside the data that is maintained by the other components of the system (Bowman, Par 903, repository).
19. As per claim 14, Horvitz as modified by Bowman explicitly teaches the data that the registered process has comprises data regarding the user's activities (col. 3, ln 1-10, process has data regarding the user's activities).
20. As per claim 15-16, Horvitz as modified by Bowman explicitly teaches the registered process provides a customized message to the sender of the notification that includes data regarding the user; and the sender is evaluated according to selected criteria to determine whether the registered process will send a customized message to the sender (Bowman, Par 1395, customized message).
21. As per claim 17, Horvitz as modified by Bowman explicitly teaches a notification system, comprising: a sending component which sends notifications; a receiving

component which receives the notifications and under specified conditions delivers the notifications to a user; and a registered process; wherein when the sending component sends a notification to the receiving component, if the notification is not delivered to the user then a message is sent to the registered process regarding the non-delivery of the notification (Bowman, Par. 1216, registering process). Claim 17 is also rejected under the same reasons as claims 1 & 2 above.

22. As per claim 18, Horvitz as modified by Bowman explicitly teaches the specified conditions under which a notification will not be delivered to a user are determined according to a user context (Horvitz, col. 42, ln 19-24 & col. 44, ln 50-61, col 47, ln 30-46 & col 55, ln 39-46, event occurs when notification from sender not delivered to user's context).

23. As per claim 19, Horvitz as modified by Bowman explicitly teaches the registered process is a program that has data regarding the user (Horvitz, col. 1, ln 60-col. 2, ln 5, process is a program with data about user) that is outside the data that is maintained by the other components of the system (Bowman, Par 903, repository).

24. As per claim 20, Horvitz as modified by Bowman explicitly teaches in response to receiving a message regarding the non-delivery of a notification the registered

process provides a customized message to the sending component that includes data about the user (col. 25, ln 1-23, process sends customized message).

Claim 20 is also rejected under the same reasons as claim 3 above.

25. As per claim 21, Horvitz as modified by Bowman explicitly teaches the registered process is a calendaring program and the data about the user indicates a time when the user may next be available (Horvitz, see table 5, calendar time indicates when user is next available).

26. As per claim 22, it is a system claim with the same limitations as the method in claim 6 and is rejected under the same reasons as claim 6 above.

27. As per claim 23, it is a system claim with the same limitations as the method in claim 7 and is rejected under the same reasons as claim 7 above.

28. As per claim 24, it is a system claim with the same limitations as the method in claim 8 and is rejected under the same reasons as claim 8 above.

29. As per claim 25, Horvitz as modified by Bowman explicitly teaches a first process for setting a user context (Horvitz, col. 56, ln 64-col. 57, ln 8, setting the user context; a second process for generating a notification (Horvitz, col. 13, ln 35-40); and a third process that is registered (Bowman, Par 1216); wherein the

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registered third process receives an event message in response to a notification not being delivered to a user (Horvitz, col. 42, ln 19-24 & col. 44, ln 50-61, col 47, ln 30-46 & col 55, ln 39-46, event occurs when notification from sender not delivered to user's context).

30. As per claim 27, Horvitz as modified by Bowman explicitly teaches the communication program comprises one of an email or instant messaging program (col. 23, ln 62-col 24, ln 11, any real-time messaging program).

31. As per claim 28, it is a system claim with the same limitations as the method in claim 3 and is rejected under the same reasons as claim 3 above.

32. As per claim 29, Horvitz as modified by Bowman explicitly teaches the registered third process is a calendaring program that has data regarding the user's scheduled activities (Horvitz, col 25, ln 1-10, calendaring program).

33. As per claim 30, it is a system claim with the same limitations as the method in claim 7 and is rejected under the same reasons as claim 7 above.

34. As per claim 31, it is a system claim with the same limitations as the method in claim 5 and is rejected under the same reasons as claim 5 above.

35. As per claim 32, Horvitz as modified by Bowman explicitly teaches the user context that is set by the first process indicates when the user is not available to interruption (col 54, ln 13-30, appointment start and interruptibility & see table 8).
36. As per claim 33, it is a system claim with the same limitations as the methods in claims 2 & 5 and is rejected under the same reasons as claims 2 & 5 above.
37. As per claim 34, Horvitz as modified by Bowman explicitly teaches the sender of the notification is evaluated according to selected criteria to determine whether the registered third process will send a customized message to the sender when a notification does not reach the user (col. 25, ln 1-23, process sends customized message). Claim 32 is also rejected under the same reasons as claim 3 above.
38. As per claim 35, Horvitz as modified by Bowman explicitly teaches the evaluation of the sender comprises a determination of whether or not the sender has been placed in a category that the user has selected (col 55, ln 33-56, user contexts on list).
39. As per claim 36, Horvitz as modified by Bowman explicitly teaches the category comprises a list of people that the user has selected (Bowman, Par 1395, customized message).

40. As per claim 37, it is a system claim with the same limitations as the methods in claim 9 and is rejected under the same reasons as claim 9 above.

41. As per claim 38, Horvitz as modified by Bowman explicitly teaches enabling the setting of a user context (Horvitz, col. 42, ln 19-24 & col. 44, ln 50-61, col 47, ln 30-46 & col 55, ln 39-46, user's context).

42. As per claim 39, Horvitz as modified by Bowman explicitly teaches enabling the evaluation (Horvitz, col 60, ln 31-33, evaluation) of a notification in accordance with the user context in order to determine whether the notification will be delivered to the user (Bowman, Par 1295, user context & Par 1395, customized message).

43. As per claim 40, Horvitz as modified by Bowman explicitly teaches if the notification is not delivered to the user, then a communication event occurs which is delivered to the registered process (Horvitz, col. 42, ln 19-24 & col. 44, ln 50-61, col 47, ln 30-46 & col 55, ln 39-46, event occurs when notification from sender not delivered to user's context).

44. As per claim 41, Horvitz as modified by Bowman explicitly teaches in response to receiving the communication event, the registered process evaluates (Horvitz, col

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60, In 31-33) the sender of the notification to determine if a customized message will be sent (Bowman, Par 1295, user context & Par 1395, customized message).

45. As per claim 42, Horvitz as modified by Bowman explicitly teaches if a customized message is sent, the customized message is made to include data about the user (col. 25, In 1-23, process sends customized message). Claim 42 is also rejected under the same reasons as claim 3 above.

46. As per claim 43, Horvitz as modified by Bowman explicitly teaches the data about the user indicates a time when the user may next be available (Horvitz, see Table 5, calendar time indicates when user is next available).

Conclusion


47. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Parham (Paul) R. Fatehi whose telephone number is 571-270-1407. The examiner can normally be reached on M-Th 9:30AM-8PM EST, off Fridays.

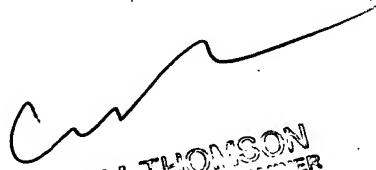
48. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571)272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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49. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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8/27/2007


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